

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS  
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September 6, 2005

# **N O T I C E**

## **TO ALL BANKRUPTCY PRACTITIONERS:**

At its September 2004 session, the Judicial Conference of the United States Courts approved an increase in the fee for filing a civil action under 28 U.S.C. §1914(a) from \$150 to \$250, effective September 20, 2005. Item 6 of the Bankruptcy Court Miscellaneous Fee Schedule, which sets forth the fee for filing an adversary proceeding, is linked to the civil action filing fee. Therefore, effective September 20, 2005 the fee for filing an adversary proceeding in a bankruptcy case will increase to \$250. The court's Electronic Filing System will be updated accordingly to automatically charge the new filing fee for all cases filing after 12 midnight on September 19, 2005.

The 2005 edition of the Bankruptcy Code published by Thomson West has an error in the Bankruptcy Court Miscellaneous Fee Schedule appended to 28 U.S.C. §1930. Item 20 of the Fee Schedule published by Thomson West states that the fee for filing a motion to lift stay (or to compel abandonment or withdraw the reference) shall be "the amount of the filing fee prescribed in 28 U.S.C. §1914(a)" for filing a civil action. The reference to the amount required for filing a civil action was deleted and language establishing a \$150 fee for a motion to lift the automatic stay was inserted.

The correct wording of the relevant portion of Item 20 is as follows:

For filing a motion to terminate, annul, modify, or condition the automatic stay provided under § 362(a) of title 11, a motion to compel abandonment of property of the estate pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure, or a motion to withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d), \$150.

Thus, although the civil filing fee under 11 U.S.C. § 1914 was raised to \$250, the fee for filing a lift stay motion remains at \$150.